



**Statement by the Delegation of the Republic of Azerbaijan
1128th Meeting of the Permanent Council,
19 January 2017**

*Non-implementation of the UN Security Council resolutions
and its implications for the Minsk Process*

Mr. Chairperson,

Non-implementation of the resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993) of the UN Security Council by Armenia remains an open challenge to the Armenia-Azerbaijan conflict settlement process and a serious threat to international and regional peace and security.

In its resolutions, the UN Security Council condemned the occupation of the territories of Azerbaijan, reaffirmed the territorial integrity and sovereignty of Azerbaijan, with the Nagorno-Karabakh region as part of it, specifically reaffirmed the principle of inviolability of international borders and the inadmissibility of the use of force for the acquisition of territory and demanded the immediate, complete and unconditional withdrawal of the occupying Armenian forces from all occupied territories of Azerbaijan.

In its statement of July 1993, the Chairman of the CSCE Minsk Conference Mr. Mario Raffaelli said that the immediate withdrawal from territories recently seized by force is “the key factor in ensuring that peaceful negotiations can move forward.” (UN Doc. S/26184).

Thus, the primary objective of Azerbaijan’s participation in the peace process is to ensure the immediate, complete and unconditional withdrawal of the Armenian armed forces from the Nagorno-Karabakh region and other occupied territories of Azerbaijan. The peace must restore Azerbaijani sovereignty and territorial integrity within its internationally recognized borders. Deviation by the OSCE Minsk Group and its Co-chairmen from this framework defined by the UN Security Council undermines the mandate entrusted to it and could have a serious impact on conflict resolution process. The Minsk Group Co-chairmen must return to implementation of the tasks given to them by the UN Security Council and, on this basis, engage both sides in substantive result-oriented talks.

There have been many statements recently that the conflict between Armenia and Azerbaijan has no military solution. We also want to believe in that. The question is if the peace process is moving in that direction. Is it based on key elements defined by the UN SC? What are the impediments for achieving a breakthrough in the negotiations and are the OSCE participating States interested at all in improving the chances of peace? If yes, then why those who see no military solution to the conflict remain so ignorant to the appeals of the Azerbaijani side to remove the obstacles to peace? These are the questions to which answers have to be honestly found before making judgments such as there is no military solution to the conflict.

The UN Security Council made it absolutely clear that the use of force against the territories of Azerbaijan had produced no legal effect whatsoever; that the Armenian actions are unlawful and incompatible with the prohibition of the use of armed force in international relations, in contradiction with the UN Charter and its purposes; that they constitute an obvious violation of the sovereignty and territorial integrity of Azerbaijan and, specifically, of Article 2(4) of the UN Charter.

Continuing misinterpretation of the non-use of force principle with a view to freezing the *status-quo* of occupation is unacceptable, counterproductive and very dangerous exercise. In circumstances in which one State has neglected its obligation to settle the international dispute by peaceful means and thereafter has unlawfully used force to occupy the territory of another State, in absence of peace progress and in lack of pressure on the aggressor, claiming that the victim State is under an obligation to respect the principle of the non-use of force vis-à-vis the aggressor State are irrelevant, to say the least.

Armenia has been flagrantly violating the principle of the non-use of force by consolidating the occupation of the territories of Azerbaijan, denying the rights of hundreds of thousands of Azerbaijani internally displaced persons to return to their homes in Nagorno-Karabakh region and other occupied territories of Azerbaijan, undertaking consistent efforts to alter the demographic, cultural and physical character of the occupied territories, removing any signs of their Azerbaijani cultural and historical roots and engaging in exploitation and pillaging of the resources and other wealth in those territories for its own gain. Very few Delegations in the OSCE condemned such behavior of Armenia and demanded to withdraw its forces from the occupied territories.

Therefore, those who talk about non-use of force in the context of conflict resolution, first of all must eliminate the factor of military occupation of the territories of Azerbaijan. If they are unable to withdraw the Armenian troops from the occupied territories and address many other challenges to the peace process, Azerbaijan has every right to defend its territory and protect its people by all means. We have the right to change the status-quo, if the peace process fails to do it, as it was demanded by the UNSC resolutions.

Due to the fact that the *status-quo* of occupation, emerged as a result of the use of force, determined by the UN Security Council as unlawful, it cannot be considered a basis for the resolution of the conflict. As Foreign Minister of Azerbaijan, Mr. Elmar Mammadyarov recently remarked, unconditional and complete withdrawal of the Armenian armed forces from the Nagorno-Karabakh region and other occupied territories of Azerbaijan is a demand of international community and in no way can be introduced as a compromise or used as a bargaining chip to link withdrawal of troops to addressing the political issues.

The Minister underlined that if the Co-Chairing countries address the issue seriously, then withdrawal of the Armenian occupying forces from the occupied territories of Azerbaijan will be ensured.

Mr. Chairperson, I request that this statement be attached to the journal of the day.

Thank you, Mr. Chairperson.